REMARKS

Claims 3-34 are pending in the present application. Claims 1 and 2 have been cancelled. Claims 3-4, 7-8, 19, 23 and 25-26 have been amended to remove the term "DNA" and replace the same with the phrase "polynucleotide". The claims have also been amended to correct dependency on non-elected or cancelled claims. These amendments are supported at page 38, lines 26 to page 39, line 6 of the present specification. Claims 32-34 have been added.

Restriction Requirement

The Examiner has required election in the present application between:

Group I, claims 1-5, 19 and 7-8, 21 in part, drawn to a polynucleotide and compositions comprising the polynucleotide;

Group II, claims 6-8, 21 in part, 9-18, 20 and 29, drawn to a tumor antigen peptide;

Group III, claim 22, drawn to an antibody;

Group IV, claims 23-25, drawn to an antigen presenting cell;

Group V, claims 26-28 and 30, drawn to a cyclotoxic T lymphocyte; and

Group VI, claim 31, drawn to a method of identifying tumor antigens.

For the purpose of examination of the present application, Applicants elect, with traverse, Group I, claims 1-5 and 19 and 7-8 and 21 in part.

Applicants respectfully request rejoinder of non-elected claims 6, 9-18, 20 and 22-31 once allowable subject matter has been determined.

CONCLUSION

Entry of the above amendments is earnestly solicited. A favorable first action on the merits is earnestly solicited.

Should there be any outstanding matters that need to be resolved in the present application, the Examiner is respectfully requested to contact Kristi L. Rupert, Ph.D. (Reg. No. 45,702) at the telephone number of the undersigned below, to conduct an interview in an effort to expedite prosecution in connection with the present application.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 02-2448 for any additional fees required under 37 C.F.R. § 1.16 or under 37 C.F.R. § 1.17; particularly, extension of time fees.

Respectfully submitted,

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0020-4817P

Attachment: Version with Markings Showing Changes Made

VERSION WITH MARKINGS TO SHOW CHANGES MADE

In the Claims:

Claims 1-2 have been canceled.

The claims have been amended as follows:

3. (Amended) An isolated expression plasmid [that contains] comprising the [DNA] polynucleotide of claim [1 or 2] 32.

4. (Amended) [A] An isolated transformant that is transformed with the expression plasmid of claim 3.

7. (Amended) A pharmaceutical composition that comprises as an active ingredient the [DNA] polynucleotide of claim [1 or 2, or the protein of claim 6] 32.

8. (Amended) A pharmaceutical composition for treating or preventing tumors, which comprises as an active ingredient the [DNA] polynucleotide of claim [1 or claim 2, or the protein of claim 6] 32.

19. (Amended) [A recombinant DNA comprising at least one of DNAs] An isolated nucleic acid that [encode the] encodes a tumor antigen [peptides or derivatives thereof according to any one of

claims 9 to 17] protein, wherein said tumor antigen protein gives rise to peptide fragments which are encoded by the polypeptide of claim 32, or are produced by the process of claim 5, and bind to an HLA antigen and are recognized by cytotoxic T lymphocytes.

21. (Amended) A pharmaceutical composition for treating or preventing tumors, which comprises as an active ingredient the recombinant [DNA] polynucleotide of claim [19 or the recombinant polypeptide of claim 20] 33.

23. (Amended) An antigen-presenting cell wherein a complex between an HLA antigen and the tumor antigen peptide or the derivative thereof according to [any one of claims 9 to 17] claim 9 is presented on the surface of a cell having antigen-presenting ability, which cell is isolated from a tumor patient.

25. (Amended) A pharmaceutical composition for treating tumors, which comprises as an active ingredient the antigen-presenting cell of claim 23 [or 24].

26. (Amended) A cyclotoxic T lymphocyte that specifically recognizes a complex between an HLA antigen and the tumor antigen peptide or derivative thereof according to [any one of claims 9 to 17] claim 9.

Claims 32-34 have been added.